

### **REMARKS**

Claims 1-4 are currently pending and will remain pending after entry of this Response.

#### ***35 U.S.C. § 103(a)***

The Office Action rejects claims 1-4 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,212,368 to Hara (hereinafter "Hara") in view of U.S. Patent Application Publication No. 2003/0071414 of Weisman (hereinafter "Weisman").

Applicants respectfully assert that claims 1-4 are not obvious in view of Hara and Weisman because Hara does not disclose changing a content of attack control information when specific conditions correlated to character identification information and attack content identification information are satisfied as recited in independent claim 1. This modified attack control information can then be read and used to "change the magnitude of the attack."

Hara discloses a system involving player cards and condition cards. Hara, col. 2, lines 58-59. Condition cards can be read to modify game parameter data for one of the players. *Id.*, col. 6, lines 10-14.

The Office Action appears to allege at page 5 that the "condition amount" of the "condition card" in Hara corresponds to the recited "attack control information." However, Hara does not teach or suggest modifying either "attack control information" or the "condition amount" stored on the condition cards. Accordingly, the player of Hara's game cannot increase or decrease the benefit conferred by the condition card (*e.g.*, by training).

Weisman fails to cure the defects of Hara. Instead, Weisman teaches a system utilizing game pieces containing "a complex two dimensional table that reflects a character's performance statistics at up to twelve stages of damage." Weisman ¶ [0035]. Weisman further states at ¶ [0055] that:

When a warrior 4 hits a target with a ranged or close combat attack, the warrior 4 inflicts damage in the amount of the warrior's damage value. This is the number of clicks of damage the warrior 4 has delivered to the target. The opposing player must click the target's game piece base 10 clockwise that

number of clicks. The damage inflicted reduces the target's abilities, and may even eliminate the target from the game.

To the extent that Weisman teaches the use of "attack control information" as recited Applicants to change the magnitude of an attack, such information (*i.e.*, the difference between the player's performance statistics at the twelve stages of damage) is printed on the game piece and is not changed. As in Hara, the player in Weisman cannot increase or decrease the magnitude of changes between performance statistics at various stages of damage (*e.g.*, by training).

Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 1-4 under 35 U.S.C. § 103(a) over Hara in view of Weisman and the allowance of these claims.

### ***Conclusion***

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance. If a telephone conversation with Applicants' representatives would be helpful to resolve any further issues and/or expedite further prosecution of the application, Applicants invite the Examiner to contact the undersigned at the telephone number listed below.

***Fee Authorization***

Applicants believe that no fees are due for the submission of this Response other than the fee for a one-month extension of time under 37 C.F.R. § 1.17(a)(1). If additional fees are required, the Director is authorized to charge any fees associated with this submission to our Deposit Account, No. 04-1105, Reference 86293(308246). Any overpayment should be credited to said Deposit Account.

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Respectfully submitted,

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